

**REMARKS/ARGUMENTS****Pending Claims**

Claims 1-10 remain pending in this application. No new matter has been added and none of the pending claims have been canceled.

**Claim Rejections under 35 U.S.C. §102 & §103**

Claims 1 and 2 stand rejected as being anticipated by Naya, U.S. Patent No. 6,584,062. Claim 6 is rejected as being unpatentable under 35 U.S.C. 103(a) over Naya in view of Takuya et al., (JP2001-255254), hereinafter Takuya; and claims 9 and 10 are rejected under 35 U.S.C. §103(a) as being unpatentable over Naya in view of Sukeda et al ("Thermally assisted magnetic recording..."), hereinafter Sukeda. Applicants request reconsideration of the rejections for the following reasons.

Claims 1 and 9 have been amended to clarify that which Applicants regard as the invention. In particular, claims 1 and 9 set forth that the diffuser, which generates an optical near field in the vicinity of the recording medium, is in contact with the first magnetic pole and has a face from which light from the light source irradiates that is substantially perpendicular to the recording medium. Figures 5A-5D of the present invention explain the efficiency of forming an optical near field by using a diffuser having a face that is arranged substantially perpendicular to the recording layer. In particular, see Figure 5B which shows the ratio of the peak intensity of an optical near field to the intensity of the incident light for the perpendicular arrangement, for example.

Naya does not disclose the recording head or information recording/reading apparatus claimed by applicants. As claimed by applicants in claims 1 and 9, the diffuser is in contact

with the first magnetic pole and a face from which the light of the light source irradiates is substantially perpendicular to the recording medium. Naya discloses a head structure for a near field optical recording apparatus having a light source that generates a recording light through a converged laser beam 11 that is converged by condenser lenses 12 and 13 and enters an optical fiber 14. Evanescent light 11E is radiated from a micro-aperture of the micro-aperture probe 14a onto the recording layer 22b of the recording medium 22 to form a hole or pit in the recording layer. Accordingly, Naya does not anticipate the invention as set forth in claims 1 and 2.

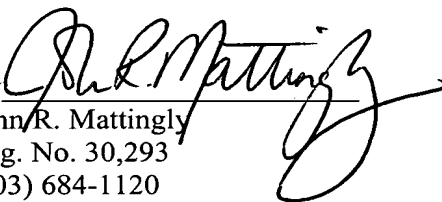
Neither Takuya nor Sukeda is sufficient in its disclosure to overcome the deficiencies in Naya. With regard to claim 6, Takuya is relied upon for disclosing a diffuser that is substantially an isosceles triangle, however, the combination of Naya and Takuya does not render claim 6 obvious under 35 U.S.C. §103(a). Further, Sukeda is relied upon for disclosing a flux detector in the rejection of claims 9 and 10. However, the combination of Naya and Sukeda does not render obvious the subject matter of the invention of claims 9 and 10. Accordingly, the 35 U.S.C. §103(a) rejections of claims 6, 9 and 10 should be withdrawn.

**CONCLUSION**

In view of the foregoing, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

By   
John R. Mattingly  
Reg. No. 30,293  
(703) 684-1120

JRM/so  
Date: November 23, 2005